



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING DEPARTMENT HEARING**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> May 20, 2016 <b>EFFECTIVE DATE</b> June 3, 2016	<b>CONTACT/PHONE</b> Brandi Cummings 805-781-1006 bcummings@co.slo.ca.us	<b>APPLICANT</b> Keith Belmont	<b>FILE NO.</b> COAL 15-0106 SUB2015-00039
<b>SUBJECT</b> A request by <b>KEITH BELMONT</b> for a Lot Line Adjustment (COAL15-0106) to adjust the lot lines between four (4) parcels of 9.79 acres, 9.76 acres, 10.50 acres, and 8.95 acres each, resulting in four (4) parcels of 9.12 acres, 9.52 acres, 10.67 acres, and 9.69 acres respectively. The adjustment will not result in the creation of any additional parcels. The proposed adjustment is within the Residential Rural land use category and is located at 457 Villa Lots Road, approximately 0.5 miles northwest of the City of Paso Robles. The project site is in the Salinas River Sub Area of the North County Planning Area.			
<b>RECOMMENDED ACTION</b> Approve Lot Line Adjustment COAL 15-0106 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 5 Categorical Exemption was issued on April 1, 2016.			
<b>LAND USE CATEGORY</b> Residential Rural	<b>COMBINING DESIGNATION</b> N/A	<b>ASSESSOR PARCEL NUMBERS</b> 018-021-007, 018-021-009, 018-021-010	<b>SUPERVISOR DISTRICT(S)</b> 1
<b>PLANNING AREA STANDARDS:</b> None Applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> Section 21.02.030 – Real Property Division Ordinance – Lot Line Adjustment Section 22.22.060 – Residential Rural Category			
<b>EXISTING USES:</b> Vacant, almond trees			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <div style="display: flex; justify-content: space-between;"><div><b>North:</b> Residential Rural/residences <b>South:</b> Residential Rural/residences</div><div><b>East:</b> Residential Rural/residences <b>West:</b> Agriculture/vacant, orchard</div></div>			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> The project was referred to: Public Works, Environmental Health, Cal Fire, San Miguel Advisory Council			
<b>TOPOGRAPHY:</b> Moderately to steeply sloping		<b>VEGETATION:</b> Almond trees, grasses	
<b>PROPOSED SERVICES:</b> Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Cal Fire		<b>ACCEPTANCE DATE:</b> March 22, 2016	

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:  
COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

## DISCUSSION

### *Government Code Section 66412(d) – Lot Line Adjustments*

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels (*Senate Bill 497*). In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan policies and requirements.

### *Title 21 / Real Property Division Ordinance*

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

### *Proposed Adjustment*

The proposed lot line adjustment involves the reconfiguration of four (4) parcels ranging in size from 8.95 to 10.50 acres into four parcels ranging in size from 9.55 to 10.27 acres.

The existing and proposed lot sizes are listed for comparison in the following table:

PARCEL NUMBER	EXISTING PARCEL SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
1	9.79	9.60
2	9.76	9.58
3	10.50	9.55
4	8.95	10.27

Existing parcel 2 is developed with a single family residence with driveway access across Parcel 3 onto Villa Lots Road. Parcels 1, 3, and 4 are vacant and vegetated with almond trees and grasses. The purpose of the adjustment is to have parcels that better reflect topography, existing graded building pads, and access.

### *Ordinance Compliance*

Section 22.22.060 of the Land Use Ordinance establishes a minimum parcel size in the Residential Rural land use category based on a series of tests: Size based on remoteness, fire hazard/response time, lot access and slope. The minimum parcel size requirement for each parcel is 7 acres (based on average slope of 19%). This adjustment meets this standard.

The adjustment also meets the Title 21 requirement that the proposed situation is equal to or better than the existing situation, because the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the Land Use Ordinance and General Plan, and the parcel configuration is better than the current configuration relative to topography. Staff has concluded that the adjustment is consistent with both state and local law.

#### AGENCY REVIEW

Public Works – Per attached referral response (Marshall, December 4, 2015), record a restrictive covenant to provide access to parcel 3 over parcels 1, 2, or 4.

Cal Fire – Per attached referral response (Bullard, December 5, 2015), the proposed shared driveway/easement meets the criteria for an access road and shall be properly named, signed, and meet all access road standards.

*Staff comments: Applicant submitted an addendum to the application stating that the 40' easement shown on the map is intended solely for Parcel 3, and all other lots have their own access to the public right of way either through Sky Ridge Drive or Villa Lots Road. Cal Fire found this addendum acceptable and will not require a named access road. The original comments regarding the driveway grade percentages remain.*

#### LEGAL LOT STATUS:

The four existing lots are Lots 1, 2, 3, and 4 of CO74-029, a portion of Villa Lot 78 (Book A of Maps, Page 169) and were legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Terry Wahler.